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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

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### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public hearing on or after January 16, 2003. Written comments must be received at the Commission offices no later than 5:00 p.m. on January 14, 2003.

#### BACKGROUND/OVERVIEW

Each odd numbered year the Commission selects a certain number of local candidates and their controlled committees for audit by the Franchise Tax Board.

Under 2 Cal. Code Regs. § 18991, the Commission relies upon the most recent decennial federal census as the benchmark to determine the population of cities and counties for local jurisdiction audit selection purposes. As a result, the data is current only in the first year following the most recent decennial federal census. For subsequent audit selections, the data used to determine local jurisdiction population is outdated and in some cases significantly incorrect.

The Commission is therefore considering adoption of an amendment to the regulation that would implement the use of an annual report prepared by the Demographic Research Unit of the Department of Finance to determine the current population of cities and counties for audit purposes. This data source is currently utilized for audit selection of cities incorporated after the most recent decennial federal census.

#### REGULATORY ACTION

Amend 2 Cal. Code Regs. § 18991: The proposed amendment institutes the use of an annual report prepared by the Demographic Research Unit of the Department of Finance to determine city and county populations for local jurisdiction audit selection.

#### FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

#### AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

#### REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code section 90001(i).

#### CONTACT

Any inquiries should be made to Jennie Eddy, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at [www.fppc.ca.gov](http://www.fppc.ca.gov).

#### ADDITIONAL COMMENTS

The Commission may make changes to the proposed regulation before its adoption or repeal. After the hearing, the Commission may adopt or repeal the proposed regulation if it remains substantially the same as described or as in the text originally made available to the public.

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public hearing on or after January 16, 2003. Written comments must be received at the Commission offices no later than 5:00 p.m. on January 14, 2003.

#### BACKGROUND/OVERVIEW

The Political Reform Act (PRA) requires that certain public officials disclose personal financial holdings which may be affected by their official duties. It does so by adoption of agency conflict of interest codes and mandatory filing of individual statements of economic interests (SEIs). Section 87300 requires that every agency adopt a conflict of

interest code and section 87301 sets forth the policy that codes be formulated at the most decentralized level possible.

In 1980, the Commission adopted a “model” conflict of interest code that contains all of the provisions specified in section 87302. (Regulation 18730.) Most state and local agencies simply incorporate the regulation as the body of their conflict of interest code and attach a list of designated employees and their assigned disclosure categories.

Regulation 18730(b)(11), which states that a designated employee who is unsure of his or her duties under the code may request assistance from the Commission or from the attorney for his or her agency, is part of the model code. Proposed regulation 18329.5 addresses the advice procedure as it pertains to this subdivision.

Proposed regulation 18329.5 deals specifically with advice procedures for sections 87300 to 87306, pertaining to conflict of interest codes. The purpose of the proposed regulation is to balance the Commission’s role of providing advice and assistance with the decentralization policy regarding the formation of conflict of interest codes, and with the statutory authority given to the code reviewing body to revise and adopt conflict of interest codes.

#### REGULATORY ACTION

The Commission may consider the following:

The proposed regulation sets forth that the Commission’s role in rendering advice or assistance to agencies concerning their conflict of interest code. The Commission will consider limiting this advice and assistance to:

- (1) A code reviewing body;
- (2) An agency and its code reviewing body that jointly submit a written request;
- (3) Any agency for which the Commission is the code reviewing body;
- (4) An agency, that notifies its code reviewing body prior to making a request and submits its request prior to submission of its conflict of interest code to the code reviewing body for adoption or amendment. The Commission will consider whether the request should be limited to informal assistance, which may be declined without both the prior notification and code submission.
- (5) The authorized representative of any of the above.

In some instances, the Commission may be confronted with questions regarding an individual’s agency’s determination as to obligations in the conflict of interest code mixed with questions about conflict of interest disqualification (sections 87100 and 87103) or other sections. Thus, the Commission will consider

whether it will provide advice or assistance directly to an individual when the request pertains to a designated employee’s reporting requirements or to a specific determination as to whether the individual is a “public official” or subject to the disqualification or gift limit provisions. The Commission may enact limiting rules, such as:

- A rule that an individual may only request advice or assistance as to his or her agency’s determination that he or she has obligations in a conflict of interest code by jointly submitting a written request with his or her agency or its authorized representative.

The Commission will also consider the effect of its advice regarding section 87200 filers and specifically, “other public officials who manage public investments.” A statutory “87200 filer” has broader reporting requirements under the statute and his or her filing obligation is triggered by the statute, not by an agency’s code. Under the proposed regulation, the Commission will consider expressly stating that Commission advice that an individual is not a “public official who manages public investments” under 87200, is not a determination that the individual must file a disclosure statement pursuant to a conflict of interest code. The agency or code reviewing body must make that determination.

Since the Commission provides formal written advice on a case-by-case factual basis, the Commission will consider language for the regulation that specifies what information a requestor may need to provide in order to receive advice or assistance. This may include a copy of all pertinent agency determinations regarding an individual’s obligations under Chapter 7 of the Act, a copy of an individual’s employment contract, a copy of an individual’s duty statement, a copy of the applicable conflict of interest code, and any other pertinent information.

#### FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

#### AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

#### REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code sections 83114(b) and 87300 to 87306.

#### CONTACT

Any inquiries should be made to Jill Stecher, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at [www.fppc.ca.gov](http://www.fppc.ca.gov).

#### ADDITIONAL COMMENTS

The Commission may make changes to the proposed regulation before its adoption. After the hearing, the Commission may adopt the proposed regulation if it remains substantially the same as described or as in the text originally made available to the public.

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulations at a public hearing on or after January 16, 2003. Written comments must be received at the Commission offices no later than 5:00 p.m. on January 14, 2003.

#### BACKGROUND/OVERVIEW

Regulation 18225.7 has long been the chief source of authority for determining what is, and what is not, an expenditure "made at the behest" of a candidate or committee under the Political Reform Act. Proposition 34 has recently added Government Code section 85500(b), to explain when an expenditure may not be considered "independent" of a candidate or committee. The regulated community has expressed a desire for a revised and clarified regulation 18225.7, and for a new regulation narrowly focused on § 85500(b). The Commission will therefore consider amendments to existing regulation 18225.7, and adoption of a new regulation 18550.1, which clarifies § 85500(b) by describing conduct that will, or will not, justify treating an ostensibly "independent" expenditure as a "contribution" to a candidate.

#### REGULATORY ACTION

##### (1) Amend 2 Cal. Code Regs. section 18225.7:

Subdivision (a) remains unaltered. Subdivision (b) would be amended to describe expenditures that in all cases are "made at the behest of" a candidate or committee.

Subdivision (c) is amended to include the language of former subdivision (b) regarding expenditures presumed to be "made at the behest of" a candidate or committee, and adds further examples to the list given in the current regulation. These additional presumptions provide guidance to both enforcement authorities and the regulated community. These presumptions, old and new, derive their legitimacy from their treatment of relatively common situations, where it is reasonable to suspect that an expenditure would be found to have been "made at the behest of" a candidate or committee if all the facts were known, and where those facts are more readily accessible to the actors themselves than to outside observers. Persons described in this subdivision are placed on notice that their actions may or may not violate the Act, but because they are close to the legal "line," they may be required to produce evidence that the expenditures at issue did not involve coordination.

Subdivision (d) renumbers and amends the "safe harbor" provisions in the existing version of regulation 18225.7, and describes additional cases where expenditures are not made "at the behest of" a candidate committee.

##### (2) Adopt 2 Cal. Code Regs. section 18550.1:

Subdivision (a) describes instances of candidate involvement which would negate the ostensibly "independent" character of an expenditure, as provided by Government Code section 85500(b).

Subdivision (b) adds a list of particular cases which will give rise to a presumption that an expenditure was not "independent" of a candidate. The presumptions derive their legitimacy from their treatment of relatively common situations, where it is reasonable to suspect underlying conduct that would negate the apparently "independent" nature of an expenditure, if all the facts were known, in cases where those facts are typically more accessible to the actors themselves than to outside observers. Persons described in this subdivision are placed on notice that their "independent" expenditures may or may not be treated as contributions to a candidate, but because they are close to the legal "line," they may be required to produce evidence supporting the "independent" character of the expenditures at issue.

Subdivision (c) describes conduct which, without more, does not negate the "independent" character of an expenditure for a campaign communication on behalf of a candidate.

#### FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. These regulations will have no fiscal impact on any local entity or program.



Fiscal Impact on State Government. These regulations will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. These regulations will have no fiscal impact on the federal funding of any state program or entity.

#### AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

#### REFERENCE

The purpose of the amendments to regulation 18225.7 is to implement, interpret and make specific Government Code sections 82015, 82025 and 82031. The purpose of regulation 18550.1 is to implement, interpret and make specific Government Code section 85500(b).

#### CONTACT

Any inquiries should be made to Lawrence T. Woodlock, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be viewed at [www.fppc.ca.gov](http://www.fppc.ca.gov).

#### ADDITIONAL COMMENTS

After the hearing, the Commission may decline to amend or adopt either or both regulations, and the Commission may introduce revisions to either regulation if the subject regulation remains substantially the same as described, or as the text originally made available to the public.

## TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public hearing on or after January 16, 2003. Written comments must be received at the Commission offices no later than 5:00 p.m. on January 14, 2003.

#### BACKGROUND/OVERVIEW

Customarily, the Commission staff holds "interested persons" meetings, in addition to pre-notice and adoption hearings on most regulations. Each of these steps is labor intensive and at time duplicative. The Commission will consider eliminating regular inter-

ested persons meetings and the pre-notice discussion and instead, grant staff the flexibility of determining which special circumstances warrant additional public meetings.

#### REGULATORY ACTION

The Commission has various options:

- This change may be implemented without amending regulation 18312. This is because the current language of regulation 18312 makes the holding of a pre-notice hearing discretionary with the Commission. The current regulation does not mention "interested persons" meetings which are also discretionary.
- The Commission may wish to amend the regulation to clarify and streamline the process. the Commission may wish to continue utilizing an "interested persons" and amend these meetings into the regulation as a part of the rulemaking process. If the Commission decides that these meetings are not necessary, no amendment to the regulation is necessary since it makes no reference to the interested persons meetings.
- Similarly, the Commission may decide to eliminate pre-notice hearings. These hearings are currently described in the regulation as permissive. If the Commission determines to retain these meetings as discretionary, the regulation need not be amended. However, if the section is retained, the Commission may wish to modify the regulation to expressly grant staff discretion as to whether to schedule a pre-notice hearing or whether to go directly to adoption.
- The Commission may put into regulatory form a reasonable limitation as to how late written comments to regulations may be filed and considered. The Commission may decide to set any deadline it determines is appropriate.
- The Commission may wish to codify the current rule that at any meeting the Commission may direct staff to hold additional interested persons meetings, pre-notice hearings, or adoption hearings on any given item.
- The Commission may decide to adopt an alternate process that would limit the submission of written comment to an initial Commission meeting so that the comments may be more fully considered and analyzed by staff at a subsequent adoption hearing.

#### FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

#### AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

#### REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code sections 11371 et seq., as those sections existed on June 4, 1974; Sections 81013, 81014 and 83112, Government Code.

#### CONTACT

Any inquiries should be made to John W. Wallace, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at [www.fppc.ca.gov](http://www.fppc.ca.gov).

#### ADDITIONAL COMMENTS

The Commission may make changes to the proposed regulation before its adoption or repeal. After the hearing, the Commission may adopt or repeal the proposed regulation if it remains substantially the same as described or as in the text originally made available to the public.

## TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulations at a public hearing on or after January 16, 2003. Written comments must be received at the Commission offices no later than 5:00 p.m. on January 14, 2003.

#### BACKGROUND/OVERVIEW

Commission regulations permit a public official who has determined that he or she has a conflict of interest to participate in a decision if the "public generally" exception applies. The "public generally" exception contains a primary rule which is provided at 2 Cal. Code Regs. § 18707.1, followed by specific rules which apply to particular circumstances. One of

these specific rules pertains to small jurisdictions (2 Cal. Code Regs. § 18707.3) and applies to the circumstances in which a conflict of interest arises from real property which serves as a public official's personal residence.

Specifically, this exception provides that the effect of a governmental decision on the principal residence of a public official is not distinguishable from the effect on the public generally provided certain requirements are met. These requirements pertain to characteristics of the official's jurisdiction, a direct effect of the decision on the official's property, the distance of the official's property from the property which is the subject of the decision, separate ownership of properties located a certain distance from the subject property, size and zoning of the official's principal residence, and whether the effect of the decision on the official's property is "substantially the same" as its effect on certain other properties.

The amendments presented are based on public comment that a number of consequences resulting from regulatory changes made during the Phase 2 Conflict of Interest Improvement Project need to be addressed. In particular, the distance at which real property is considered "directly involved" in a decision was increased from 300 feet to 500 feet as part of the Phase 2 project. This change affected the application of the small jurisdiction "public generally" exception ("the small jurisdiction exception").

#### REGULATORY ACTION

Repeal 2 Cal. Code Regs. § 18707.3 (Option A): The Commission may consider repeal of the small jurisdiction exception. A public official in a small jurisdiction would still be able to apply the primary (or general) "public generally" rule of 2 Cal. Code Regs. § 18707.1. Repeal may be appropriate if the Commission determines that the rule is no longer effective.

Amend 2 Cal. Code Regs. § 18707.3 (Option B): The Commission may also decide to amend 18707.3 to address issues raised by public comment. As part of its review of these issues, the Commission may discuss deletion or amendment of provisions of this regulation including the following proposed amendments:

##### Subdivision (a)(1):

- Decrease the population criterion which a jurisdiction must meet before a public official can apply the small jurisdiction exception.
- Add an alternate geographic size criterion for the jurisdiction.

##### Subdivision (a)(2):

- Delete the requirement that a decision "does not have a direct effect" on the official's real property.

- In the alternative, amend the subdivision to permit a public official to apply this exception in limited circumstances where the official's property is directly affected.

Subdivision (a)(3):

- Change the distance beyond which an official's property must be located before the official is permitted to use this exception.

Subdivision (a)(4):

- Change the criteria applicable to the "100 properties under separate ownership."

Subdivision (a)(6):

- Change the distance used for the "substantially the same effect" test.

Repeal 2 Cal. Code Regs. § 18707.3 and amend 2 Cal. Code Regs. § 18707.1 (Option C): In addition, the Commission will discuss repeal of the small jurisdiction exception accompanied by amendment to 2 Cal. Code Regs. § 18707.1. The issues addressed are the same as above. In particular, the Commission will examine whether a small jurisdiction exception should be incorporated into 2 Cal. Code Regs. § 18707.1, the general "public generally" rule, to further define the terms "significant segment" and "substantially the same manner."

The Commission will additionally consider whether the small jurisdiction exception should be expanded to apply to all real property interests, rather than only to principal residences.

#### FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. These regulations will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. These regulations will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. These regulations will have no fiscal impact on the federal funding of any state program or entity.

#### AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

#### REFERENCE

The purpose of these regulations is to implement, interpret and make specific Government Code section 87103.

#### CONTACT

Any inquiries should be made to Natalie Bocanegra, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone

(916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at [www.fppc.ca.gov](http://www.fppc.ca.gov).

#### ADDITIONAL COMMENTS

The Commission may delete provisions, adopt the language noticed herein, or choose new language to implement its decisions concerning the small jurisdiction exception's requirements, scope or other related issues. After the hearing, the Commission may adopt, amend, or repeal the proposed regulations if they remain substantially the same as described or as in the text originally made available to the public.

## TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public hearing on or after January 16, 2003 at 9:30 a.m. Written comments must be received at the Commission offices no later than 5:00 p.m. on January 14, 2003.

#### BACKGROUND/OVERVIEW

Section 87100 provides:

"No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest."

Section 87103 provides:

"A public official has a financial interest in a decision within the meaning of Section 87100 if it is reasonably foreseeable that the decision will have a *material financial effect*, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family, or on any [economic interest]". . . . [Emphasis added]

However, what constitutes a "material financial effect" is not defined in the Act. Rather, the Commission defines what is considered "material" for purposes of section 87100 and 87103 through a series of regulations.

In 2000, the Commission simplified the indirect standards by collapsing the three zones of the former version of the indirect materiality regulation. The inner zone (300 feet or less from the subject property) was subject to the one penny rule. The second zone went from 300 feet to 2,500 feet imposed a \$10,000 materiality threshold for real property in this zone.



Finally, the third zone covered an official's real property when it was more than 2,500 feet from the subject property. Under such circumstances, the financial effect of the decision on the public official's real property was considered material only if there were "specific circumstances" to justify that conclusion.

The current rule, as adopted in December 2000, is that where the official's real property is within 500 feet of the subject property, the effect is presumed to be material. When the property of the official is beyond 500 feet of the real property subject to the decision, the effect is presumed not to be material. In addition, the Commission made two changes that were viewed at the time to be cosmetic. In light of the fact that decisions falling within the "500 foot rule" or the "new and improved services" rule were both subject to the "one-penny" materiality standard, the same rule as applied to "directly involved" economic interests, it was decided that these two rules should be recharacterized as "directly involved" and merged with the list of other directly involved decisions.

Consequently, the "new and improved services" rule was moved into the list of "direct standards" as new subdivision (a)(5). However, rather than similarly incorporating the "500-foot rule" into the list, this rule was added to the preamble language in subdivision (a). In addition, for the first time, the list of "directly involved" situations was expressly set forth as a definition of "subject of" for purposes of the regulation. This meant that while in the past the "property subject to a governmental decision" was meant to be a broad, all-inclusive term, after the amendment, the application of the 500-foot rule appeared to be limited to the list of decisions in subdivision (a).

The purpose of the proposed amendments is simply to reform the language of the regulation to correspond to the interpretation applied to these rules prior to the most recent amendments.

#### REGULATORY ACTION

1. The 500 foot standard in subdivision (a)'s preamble language will be moved to subdivision (a)(1). In addition, language formerly set forth in the redevelopment section (a)(5) after renumbering has been moved to (a)(1), again essentially intact. This is because this language is an interpretation of the 500 foot rule.

2. The second relocation amendment simply moves language formerly set out as (a)(6), into renumbered (a)(2). The moved language is an elaboration of the zoning concept in renumbered (a)(2) and more appropriately belongs in that section.

3. Finally, two exceptions to these "direct effect" rules that were formerly merged in with the standards have been separated and placed in another subdivision, new subdivision (b). This change was necessary to clarify that the two exceptions not only applied to the specific subdivisions in (a) for which they were written, but also the general distance test in (a)(1).

#### FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

#### AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

#### REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code sections 87100, 87102.5, 87102.6, 87102.8 and 87103.

#### CONTACT

Any inquiries should be made to John W. Wallace, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at [www.fppc.ca.gov](http://www.fppc.ca.gov).

#### ADDITIONAL COMMENTS

After the hearing, the Commission may adopt or repeal the proposed regulation if it remains substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the proposed regulation before its adoption or repeal.

## TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public

hearing on or after January 16, 2003. Written comments must be received at the Commission offices no later than 5:00 p.m. on January 14, 2003.

#### **BACKGROUND/OVERVIEW**

Under regulation 18116, most reports and statements to be filed under the Act that fall due on a weekend or holiday may be filed on the next business day. Regulation 18116, as currently in effect, states that the weekend/holiday extension does not apply to reports of late contributions and late independent expenditures that must be filed within 24 hours.

Regulation 18116 provides as follows:

“Whenever the Political Reform Act requires that a statement or report be filed prior to or not later than a specified date or during or within a specified period, and the deadline falls on a Saturday, Sunday or official state holiday, the filing deadline for such a statement or report shall be extended to the next regular business day. This extension does not apply to late contribution reports required by Government Code Section 84203, late independent expenditure reports required by Government Code Section 84204, or notice by the contributor of a late in-kind contribution required by Government Code Section 84203.3.”

The Commission is examining issues involving the 24-hour late reports and election cycle reports required to be filed during the 90 days before an election under sections 85309 and 85500 and the weekend/holiday extension. The Commission is considering whether the weekend/holiday extension of regulation 18116 should apply to these reports, possibly excepting the weekend prior to the election.

#### **REGULATORY ACTION**

Amend 2 Cal. Code Regs. § 18116: The Commission will decide whether to amend regulation 18116 to provide that the weekend/holiday extension of time to file reports is applicable to the late contribution and independent expenditure reports required under sections 84203 and 84204, the notice of a late in-kind contribution required by section 84203.3, and/or the electronic election cycle reports required under sections 85309 and 85500, except on the weekend prior to the election. The Commission may make other changes to regulation 18116 concerning reports required to be filed under the Act within 24 or 48 hours.

#### **FISCAL IMPACT STATEMENT**

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

#### **AUTHORITY**

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

#### **REFERENCE**

The purpose of this regulation is to implement, interpret and make specific Government Code section 90001(i).

#### **CONTACT**

Any inquiries should be made to Hyla P. Wagner, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at [www.fppc.ca.gov](http://www.fppc.ca.gov).

#### **ADDITIONAL COMMENTS**

The Commission may make changes to the proposed regulation before its adoption or repeal. After the hearing, the Commission may adopt or repeal the proposed regulation if it remains substantially the same as described or as in the text originally made available to the public.

### **TITLE 13. DEPARTMENT OF MOTOR VEHICLES**

#### **NOTICE IS HEREBY GIVEN**

The Department of Motor Vehicles (the department) proposes to adopt Section 157.00 in Article 3, Chapter 1, Division 1, Title 13 of the California Code of Regulations to clarify the registration of privately owned firefighting vehicles.

#### **PUBLIC HEARING**

A public hearing regarding this proposed regulatory action is not scheduled. However, a hearing will be held if the department receives a written request for a public hearing from any interested person or his or her duly authorized representative, no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

#### **DEADLINE FOR WRITTEN COMMENTS**

Any interested person may submit written comments relevant to the proposed action to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m. on January 27, 2003, in order for them to be considered by the department before it adopts the proposed regulation.

#### AUTHORITY AND REFERENCE

The department proposes to adopt this regulation under the authority granted by Section 1651 of the Vehicle Code in order to implement, interpret or make specific Section 4015 of the Vehicle Code.

#### INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Vehicle Code Sections 4015 allows privately owned vehicles to be exempt from registration when the vehicles are being used for firefighting purposes. The proposed regulation defines a firefighting vehicle as stated in Government Code Section 8589.10(c) and provides a listing of privately owned firefighting vehicles that are subject to registration.

#### FISCAL IMPACT

- Cost or Savings to any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impacts on Representative Private Persons or Businesses: None. "The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action."
- Effect on Housing Costs: None.

#### DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action has no effect which would have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. No studies or data were relied upon in making this determination.
- The proposed regulatory action will neither create nor eliminate jobs or businesses in the state of California, will not result in the elimination of existing businesses, and will neither reduce nor expand businesses currently doing business in the state of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- The proposed regulatory action will have no effect on small businesses. The regulatory action is intended to clarify registration issues for private businesses who use vehicles for firefighting purposes.

#### PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

#### ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### CONTACT PERSON

Inquiries relevant to the proposed regulatory action should be directed to departmental representative Bonnie DeWatney, Department of Motor Vehicles, Regulations Unit, Mail Station E-244, P.O. Box 932382, Sacramento, California 94232-3820 or 916-657-8954 or e-mail bdewatney@dmv.ca.gov. In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Deborah Baity, at 916-657-5690 or e-mail at dbaity@dmv.ca.gov. Substance questions may be addressed to either of the above contacts. The fax number for the Regulations Branch is 916-657-1204.

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The department has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public, upon request, the express terms of the proposed action using underline or italics to indicate additions to, and strikeout to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public, upon request, the initial statement of reasons and final statement of reasons once it has been prepared and submitted to the Office of Administrative Law, and the location of public records, including reports, documentation, and other materials related to the proposed action (Rulemaking File). In addition, the above-cited materials (Notice, Initial Statement of Reasons and Express Terms) may be accessed at [www.dmv.ca.gov](http://www.dmv.ca.gov), Other Services, Legal Affairs Division, Regulatory Notices web page.

#### AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulation substantially as described in this notice. If modifications are made which are suffi-



ciently related to the originally proposed text, the full modified text with changes clearly indicated shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulation. Requests for copies of any modifications to the regulation should be directed to the department contact person identified in this notice. The department will accept written comments on the modified regulation for 15 days after the date on which it is first made available to the public.

## TITLE 16. DENTAL BOARD OF CALIFORNIA

**NOTICE IS HEREBY GIVEN** that the Dental Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the **Red Lion Inn, 1401 Arden Way, Sacramento, California, on January 31, 2003, at 1:30 p.m.. The telephone number is (916) 922-8041.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Dental Board of California at its offices no later than 5:00 p.m. on January 27, 2003, or must be received by the Dental Board of California at the hearing. The Dental Board of California upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

### AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 1614 and 1774, and to implement, interpret or make specific Section 1774 of the Business and Professions Code, the Dental Board of California is considering changes to Division 10 of Title 16 of the California Code of Regulations as follows:

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend Title 16, California Code of Regulations Section 1073.2.

Section 1774 of the Business and Professions Code authorizes the Dental Board of California to adopt regulations relating to Registered Dental Hygienists in Alternative Practice educational programs.

Existing Title 16, California Code of Regulations, Section 1073.2, requires that a Registered Dental Hygienists in Alternative Practice (RDHAP) educational program be affiliated with a dental school. The proposed regulatory language change would eliminate this requirement, since it has been found to be unnecessary and may actually restrict the number of educational programs applying for approval. This may have the unwarranted effect of reducing the number of applicants who can become qualified for licensure and therefore are available to treat dental patients.

### FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following relevant data were relied upon in making the above determination:

Review of the Regulatory Structure and Scope of Practice for California's Dental Auxiliaries, Sjoberg & Evashenk Consulting, LLC, September 1, 2002.

COMDA's Supplemental Sunset Review Report on Auxiliary Scopes of Practice, Committee on Dental Auxiliaries, Karen Wyant, Executive Officer, October 5, 2002.

Impact on Jobs/New Business:

The Dental Board of California has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Dental Board of California is not aware of any cost impact that a representative private persons or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

### EFFECT ON SMALL BUSINESS

The Dental Board of California has determined that the proposed regulations would not affect small businesses because the proposed changes would eliminate the requirement that RDHAP educational programs be affiliated with a dental school.



## CONSIDERATION OF ALTERNATIVES

The Dental Board of California must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

## INITIAL STATEMENT OF REASONS AND INFORMATION

The Dental Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing upon request from the Dental Board of California at 1432 Howe Avenue, Suite 85, Sacramento, California 95825.

## AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OR REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

## CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Errol G. Chisom  
Address: 1432 Howe Avenue, Suite 85  
Sacramento, CA. 95825  
Telephone: No (916) 263-2300 ext. 2327  
Fax No. (916) 263-2140  
E-Mail Address [errol\\_chisom@dca.ca.gov](mailto:errol_chisom@dca.ca.gov)

The backup contact person is:

Name: Karen Wyant  
Address: 1428 Howe Avenue, Suite 55  
Sacramento, California 95825  
Telephone No. (916) 263-2595 ext. 209  
Fax (916) 263-2709  
E-Mail address [karen\\_wyant@dca.ca.gov](mailto:karen_wyant@dca.ca.gov)

Inquiries concerning the substance of the proposed regulations may be directed to Errol G. Chisom, (916) 263-2300 ext. 2327.

Materials regarding this proposal can be found at [www.dbc.ca.gov](http://www.dbc.ca.gov)

## TITLE 16. DEPARTMENT OF CONSUMER AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Consumer Affairs (hereinafter "department") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at 400 R Street, Suite 1030, Sacramento, California 95814, at 9:00 a.m., on January 27, 2002. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the department at its office not later than 5:00 p.m. on January 27, 2002 or must be received by the department at the hearing. The department, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

## AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 87300 and 87307 of the Government Code, and to implement, interpret or make specific Section 87302 of said Code, the department is considering changes to Chapter 2 of Division 38 of Title 16 of the California Code of Regulations as follows:

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 87300 of the Government Code is part of Proposition 9, The Political Reform Act of 1974. That section requires each state agency to adopt a Conflict of Interest Code which must contain, among other things, the following:

(a) Specific enumeration of the positions within the agency which involve making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. Persons holding those positions are called "designated employees."

(b) Requirements that each designated employee file annual statements disclosing reportable investments, interests in real property and income. The

Conflict of Interest Code must specify the investments, interests and income which are reportable for each designated position.

The Department of Consumer Affairs adopted a Conflict of Interest Code containing the above-noted provisions in 1977.

These proposed changes would update the existing Conflict of Interest Code primarily by adding to the list of designated employees. Therefore, a number of employees who were not previously required to file annual financial disclosure statements would now be required to file them. A small number of currently designated positions would be deleted.

The proposed changes would also amend the disclosure categories which set forth the types of investments, interests in real property and income which must be reported by designated employees.

#### **FISCAL IMPACT ESTIMATES**

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The department has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

The department has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

#### **EFFECT ON SMALL BUSINESS**

The department has determined that the proposed regulations would not affect small businesses because the regulations pertain to designated employees who make or participate in the making of a governmental decision. These designated employees will be required to submit annual financial disclosure statements.

#### **CONSIDERATION OF ALTERNATIVES**

The department must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

#### **INITIAL STATEMENT OF REASONS AND INFORMATION**

The department has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

#### **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Division of Legal Affairs, Department of Consumer Affairs, 400 R Street, Suite 3080, at Sacramento, California 95814.

#### **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

#### **CONTACT PERSON**

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Albert Balingit  
Address: 400 R Street, Suite 3090  
Sacramento, California 95814  
Telephone No.: (916) 445-4216  
Fax No.: (916) 324-1368  
E-Mail Address: Albert\_Balingit@dca.ca.gov

The backup contact person is:

Name: Imelda Galang  
Address: 400 R Street, Suite 3090  
Sacramento, California 95814  
Telephone No.: (916) 445-4216  
Fax No.: (916) 323-0971  
E-Mail Address: Imelda\_Galang@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Albert Balingit at (916) 445-4216.

## TITLE 16. MEDICAL BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Medical Board of California (hereinafter referred to as "the Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at Embassy Suites, 1440 E. Imperial Avenue, El Segundo, California 90245, on January 31, 2003, at 10:00 A.M.. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on January 27, 2003 or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

### AUTHORITY AND REFERENCE

Pursuant to the authority vested by Section 2018 of the Business and Professions Code, and to implement, interpret or make specific Sections 2227, 2228, and 2229 of said Code, the Medical Board of California is considering changes to Division 13, Chapter 2, Article 3 of Title 16 of the California Code of Regulations as follows:

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

#### Add Section 1358.1

Title 16, CCR 1361, includes the board's Disciplinary Guidelines for licensees who are placed on probation. Condition 20, Oral Clinical or Written Exam, addresses the type of exam ordered, time frames for taking the exam, and number of times the exam may be taken within a specified period. However, this condition does not address how the exam shall be administered. This regulatory proposal would describe in general the parameters of an examination for a licensee on probation and would standardize the requirements for the three types of examinations ordered as a condition of probation.

### FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 7500 through 17630 Requires Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

### AND

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The Medical Board of California has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Medical Board of California is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

### EFFECT ON SMALL BUSINESS

The Medical Board of California has determined that the proposed regulations would not affect small businesses. The proposed amendment is simply an attempt to codify the requirements for examinations ordered as a condition of probation.

### CONSIDERATION OF ALTERNATIVES

The Medical Board of California must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

### INITIAL STATEMENT OF REASONS AND INFORMATION

The Medical Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based. Copies of the initial statement of

reasons and all of the information upon which the proposal is based may be obtained from the person designated in this Notice under Contact Person or by accessing the website listed below.

#### TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations may be obtained at the hearing or prior to the hearing upon request from the person designated in this Notice under Contact Person or by accessing the website listed below.

#### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person designated in this Notice under Contact Person or by accessing the website listed below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the person designated in this Notice under Contact Person or by accessing the website listed below.

#### CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Kevin A. Schunke  
Address: Medical Board of California  
1430 Howe Ave, Suite 92  
Sacramento, CA 95825  
Telephone No.: (916) 263-2368  
Fax No.: (916) 263-2387  
e-mail [kschunke@medbd.ca.gov](mailto:kschunke@medbd.ca.gov)

The backup contact person is:

Name: Linda Whitney  
Address: Medical Board of California  
1430 Howe Ave, Suite 92  
Sacramento, CA 95825  
Telephone No.: (916) 263-2389  
Fax No.: (916) 263-2387  
e-mail [lwhitney@medbd.ca.gov](mailto:lwhitney@medbd.ca.gov)

Inquiries concerning the substance of the proposed regulations may be directed to:

Name: Ana Facio, Deputy Chief  
Enforcement Program  
Medical Board of California  
1426 Howe Avenue, Suite 84  
Sacramento, CA 95825

Telephone No.: (916) 263-2532  
Fax No.: (916) 263-2530  
e-mail [afacio@medbd.ca.gov](mailto:afacio@medbd.ca.gov)

Website Access: Materials regarding this proposal can be found at [www.medbd.ca.gov](http://www.medbd.ca.gov).

## **RULEMAKING PETITION DECISIONS**

### **DEPARTMENT OF FOOD AND AGRICULTURE**

#### **NOTICE OF DECISION ON PETITION FOR RULEMAKING**

##### **(Government Code Section 11340.7)**

By letter dated October 24, 2002, Rachel Kaldor, Executive Director, Dairy Institute (Petitioner) petitioned the Department of Food and Agriculture of the State of California (Department) to add new Article 14.9 to Chapter 1, Division 2, of Title 3 of the California Code of Regulations. The proposed new article would establish testing procedures which must be followed in determining whether a California fluid milk product complies with the Compositional Standards imposed by sections 35784, 38181, 38191 and 38211 of the Food and Agricultural Code for each respective product.

#### **PROVISIONS OF THE CODE OF REGULATIONS REQUESTED TO BE AFFECTED**

Title 3, California Code of Regulations, Chapter 1, Division 2.

#### **AUTHORITY AND REFERENCE CITED IN THE PETITION**

Sections 35784, 38181, 38191 and 38211, Food and Agricultural Code.

#### **DEPARTMENT DECISION**

Notice is hereby given that the Department accepts the petition for the reasons set forth below.

#### **REASONS SUPPORTING THE DEPARTMENT'S DETERMINATION**

The Department agrees that adding this article will clarify the statutes referenced and will make implementation of these statutes consistent. Currently, no regulations exist regarding laboratory procedures and analytical methods used to obtain the compositional fat, solids not fat, and total solids content of finished fluid milk products referenced in these Food and Agricultural Code sections.



Therefore, pursuant to Government Code section 11340.7, the Department intends to schedule this matter for public hearing in accordance with the notice and hearing requirements of the California Government Code.

#### AGENCY CONTACT PERSON

Kristen Dahl, Dairy Program Coordinator  
Department of Food and Agriculture  
1220 N Street, Room A-170  
Sacramento, CA 95814  
(916) 654-0773

#### AVAILABILITY OF THE PETITION

Interested persons may obtain a copy of the petition for rulemaking by requesting a copy from the agency contact person.

## SUMMARY OF REGULATORY ACTIONS

### REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

#### BOARD OF EQUALIZATION Manufacturing Equipment

This is a proposed nonsubstantive change which would amend the "Manufacturer's Exemption Certificate" and "Manufacturer's Use Tax Declaration," which certifies that a purchaser of manufacturing equipment is qualified for a three-year, partial exemption from sales and use tax. The Board is adding language to these certificates that would include not only purchases of such equipment but also leases as well. (Leases would qualify for a six-year partial exemption.) In addition, the Board is making other minor editorial changes.

Title 18  
California Code of Regulations  
AMEND: 1525.2  
Filed 12/03/02  
Effective 12/03/02  
Agency Contact: Diane G. Olson (916) 322-9569

#### COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING Participation in the POST Program

This action deletes an obsolete list of conditions that would render a local police department ineligible for participation in POST training programs, specifies the procedure for reviewing a department's application to participate in POST programs, and combines and reorganizes two regulations.

Title 11  
California Code of Regulations  
AMEND: 1001, 1010 REPEAL: 1009  
Filed 12/03/02  
Effective 01/02/03  
Agency Contact: Leah Cherry (916) 227-3891

#### DEPARTMENT OF CHILD SUPPORT SERVICES Plans of Cooperation

In this Certificate of Compliance regulatory action, the Department of Child Support Services specifies the administrative requirements for "state/county plans of cooperation" under which designated local child support agencies in the various counties agree to implement child support services at the local county level. The Department further specifies the administrative requirements for "local plans of cooperation" under which designated local child support agencies at the county level may essentially delegate certain responsibilities for providing child support services to other county agencies.

Title 22  
California Code of Regulations  
ADOPT: 110411, 110625, 111110, 111120, 111210, 111220, 111230 REPEAL: MPP Sections 12-000, 12-003, and Appendix I  
Filed 12/02/02  
Effective 12/02/02  
Agency Contact: Lucila Ledesma (916) 464-5087

#### DEPARTMENT OF CHILD SUPPORT SERVICES Barnes Notice

In this Certificate of Compliance regulatory action, the Department of Child Support Services sets forth the requirements for a "Monthly Statement of Collections and Distribution" and a "Notice of Important Information" which local child support agencies must issue to each custodial party who is a recipient of child support services (when the local child support agency collects or distributes child support).

Title 22  
California Code of Regulations  
ADOPT: 119184 REPEAL: Manual of Policies and Procedures Section 12-225.3

Filed 12/03/02  
Effective 12/03/02  
Agency Contact: Lucila Ledesma (916) 464-5087

**DEPARTMENT OF CONSERVATION**  
**2002 Labeling Regulations**

This rulemaking adopts requirements for California Redemption Value (CRV) labeling for metal bottles.

Title 14  
California Code of Regulations  
AMEND: 2200, 2320, 2500  
Filed 12/03/02  
Effective 01/02/03  
Agency Contact: Karen Denz (916) 322-1899

**DEPARTMENT OF FOOD AND AGRICULTURE**  
**Direct Marketing**

The proposed action would amend the conditions under which certified producers may sell their agricultural products at certified farmers' markets. The amendments would require certified producers who sell products under their own primary certificate and also sell products under a partnership to comply with all requirements that individual certified producers are required to comply with, which includes selling for and/or representing for no more than two other producers on a certified producer's certificate in a 12-month period.

Title 3  
California Code of Regulations  
AMEND: 1392.1, 1392.2, 1392.4, 1392.9.1  
Filed 12/02/02  
Effective 12/02/02  
Agency Contact:  
Janice L. Price (916) 654-0919

**DEPARTMENT OF FOOD AND AGRICULTURE**  
**Oriental Fruit Interior Quarantine**

This emergency rulemaking establishes a quarantine for Oriental fruit fly in the La Miranda area of Los Angeles and Orange counties.

Title 3  
California Code of Regulations  
AMEND: 3423(b)  
Filed 12/02/02  
Effective 12/02/02  
Agency Contact: Stephen Brown (916) 654-1017

**DEPARTMENT OF HEALTH SERVICES**  
**Newborn Screening Program Fee Increase**

This Certificate of Compliance increases the total fee for the newborn screening program services from \$56 to \$60.

Title 17  
California Code of Regulations  
AMEND: 6508

Filed 12/02/02  
Effective 12/02/02  
Agency Contact: Linda Tutor (916) 654-0381

**DEPARTMENT OF JUSTICE**  
**Laboratory Certification, Firearms Safety Devices**

This emergency rulemaking action revises firearm safety device listing and delisting procedures and testing standards and provides for "unknown" makes or models on an affidavit of ownership of an acceptable gun safe. The action also specifies the means of establishing proof of ownership of an acceptable, listed lock box, and specifies how long a firearms dealer must keep such proof.

Title 11  
California Code of Regulations  
ADOPT: 977.52 AMEND: 977.20, 977.43, 977.44, 977.45, 977.50, 977.51  
Filed 12/04/02  
Effective 12/04/02  
Agency Contact: Steven Teeters (916) 263-0849

**DEPARTMENT OF PESTICIDE REGULATION**  
**Operator Identification Numbers**

The regulatory action deals with operator identification numbers.

Title 3  
California Code of Regulations  
AMEND: 6622  
Filed 12/03/02  
Effective 01/02/03  
Agency Contact:  
Linda Irokawa-Otani (916) 445-3991

**DEPARTMENT OF SOCIAL SERVICES**  
**Child Care Provider Notification Regulations**

This emergency rulemaking action requires child care providers to inform parents if an employee has been granted an exemption to work in a child care facility. (Previous OAL file #02-0806-04E)

Title 22, MPP  
California Code of Regulations  
AMEND: 101218.1, 102419, 102421  
Filed 12/03/02  
Effective 12/03/02  
Agency Contact:  
Anthony J. Velasquez (916) 657-2586

**DEPARTMENT OF TOXIC SUBSTANCES**  
**CONTROL**  
**Manifest Discrepancies**

This is the second readoption of emergency regulations implementing more stringent requirements for reporting discrepancies between manifests and actual deliveries of hazardous wastes for certain federally defined and classified explosives and poisonous materials.

Title 22  
 California Code of Regulations  
 AMEND: 66262.54, 66264.71, 66264.72,  
 66265.71, 66265.72, 66270.30  
 Filed 12/02/02  
 Effective 12/03/02  
 Agency Contact:  
 Bonnie Amoruso (916) 322-2833

**FRANCHISE TAX BOARD**

Bad Debt Deduction for Banks and Savings and Loan Associations

The Franchise Tax Board is repealing subsection 24348(b) entitled "Bad Debt Deduction for Banks and Savings and Loan Associations," to bring that section in to conformity with Revenue and Taxation Code section 24348 amended by Stats.2002, Ch. 488.

Title 18  
 California Code of Regulations  
 REPEAL: 24348(b)  
 Filed 12/02/02  
 Effective 01/01/03  
 Agency Contact:  
 Colleen Berwick (916) 845-3306

**OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

Operation of Agricultural Equipment

This action would amend the provision which specifies the operating instructions an employer must give for operating agricultural equipment to add instruction on safe work practices and would provide that the agricultural equipment shall be operated in accordance with the safe work practices and operating rules specified.

Title 8  
 California Code of Regulations  
 AMEND: 3441(a)  
 Filed 12/02/02  
 Effective 01/01/03  
 Agency Contact: Marley Hart (916) 274-5721

**OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

Gas and Electric Welding Systems and Operations

This action amends provisions governing fire suppression and prevention procedures for gas and electric welding operations.

Title 8  
 California Code of Regulations  
 AMEND: 4794, 4848, 4850  
 Filed 12/03/02  
 Effective 01/02/03  
 Agency Contact: Marley Hart (916) 274-5721

**OSTEOPATHIC MEDICAL BOARD OF CALIFORNIA**

Physician's Assistant

The Osteopathic Medical Board of California is amending sections 1690 and 1691, repealing sections 1680, 1681, and 1682, of title 16, California Code of Regulations, in order to bring those regulations into compliance with Ch. 736, Stats. 1998. Further, editorial corrections are being made in order to conform sections 1690 and 1691 to those changes made by File No. 01-0202-01N.

Title 16  
 California Code of Regulations  
 AMEND: 1690, 1691 REPEAL: 1680, 1681, 1682  
 Filed 12/03/02  
 Effective 01/02/03  
 Agency Contact:  
 Linda J. Bergman (916) 263-3100

**CCR CHANGES FILED WITH THE SECRETARY OF STATE WITHIN JULY 31, 2002 TO DECEMBER 04, 2002**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 1**

10/29/02 AMEND: 1, 100

**Title 2**

11/26/02 AMEND: 57.1  
 11/18/02 AMEND: 589, 589.3, 589.4, 589.5, 589.9  
 11/14/02 AMEND: 2271  
 11/04/02 ADOPT: 549.95  
 11/04/02 ADOPT: 1859.70.1, 1859.71.3,  
 1859.78.5, 1859.78.6, 1859.78.7,  
 1859.93.1, 1859.120, 1859.121,  
 1859.122, 1859.122.1, 1859.122.2,  
 1859.123, 1859.124, 1859.124.1,  
 1859.125, 1859.125.1, 1859.126,  
 1859.127, 1859.128, 1859.129, 1859.130,  
 1859.140, 1859.141, 1859

10/31/02 AMEND: 51000

10/31/02 ADOPT: 18531.7

10/24/02 ADOPT: 2351

10/09/02 AMEND: 18539.2

10/04/02 ADOPT: 18544

10/04/02 AMEND: 1859.81, 1859.91

09/16/02 AMEND: 1859.79, 1859.79.3, 1859.81.1, 1859.83, 1859.107  
 09/12/02 AMEND: 18110, 18401, 18404.1, 18451, 18540, 18705.4, 18997  
 09/09/02 AMEND: 1859.92, 1859.104, 1859.105, 1859.107  
 08/19/02 ADOPT: 18535  
 08/14/02 ADOPT: 56, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8  
 08/12/02 ADOPT: 57.1, 57.2, 57.3, 57.4  
 08/12/02 ADOPT: 1859.71.2, 1859.78.4, 1859.108  
 AMEND: 1859.50, 1859.70, 1859.72, 1859.73.1, 1859.73.2, 1859.74.1, 1859.75.1, 1859.76, 1859.78.2, 1859.79.3, 1859.81, 1859.81.1, 1859.82, 1859.100, 1859.101, 1859.102, 1859.107  
 08/07/02 ADOPT: 59000  
 07/31/02 ADOPT: 18450.1

**Title 3**

12/03/02 AMEND: 6622  
 12/02/02 AMEND: 3423(b)  
 12/02/02 AMEND: 1392.1, 1392.2, 1392.4, 1392.9.1  
 11/12/02 ADOPT: 4600, 4601, 4602, 4603  
 11/07/02 AMEND: 6000, 6710  
 11/01/02 AMEND: 3417(b)  
 10/28/02 AMEND: 3604(b)  
 10/24/02 AMEND: 1380.19, 1430.10, 1430.12, 1430.14, 1430.26, 1430.27, 1430.32, 1430.45, 1430.50, 1430.51  
 10/17/02 ADOPT: 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3657, 3658, 3659, 3660, 3661, 3662, 3663, 3663.5  
 10/09/02 AMEND: 1380.19(h), 1420.10, 1442.7  
 REPEAL: 1420.9, 1442.10  
 09/19/02 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 6784  
 09/10/02 AMEND: 3700(c)  
 09/09/02 AMEND: 6414  
 08/30/02 AMEND: 3423(b)  
 08/29/02 AMEND: 1408.3  
 08/19/02 ADOPT: 3664, 3665, 3666, 3667, 3668, 3669  
 08/14/02 AMEND: 6172, 6192, 6200, 6252  
 08/13/02 AMEND: 3423(b)

**Title 4**

10/15/02 ADOPT: 1867  
 10/07/02 ADOPT: 12300, 12301, 12302, 12303, 12304, 12305, 12306, 12307, 12308  
 09/12/02 ADOPT: 8110, 8111, 8112, 8113, 8114, 8115, 8116, 8117, 8118, 8119, 8120, 8121, 8122, 8123, 8124, 8125  
 09/03/02 AMEND: 1107  
 08/15/02 ADOPT: 4144

08/13/02 AMEND: 7000, 7001, 7002, 7003, 7003.5, 7004, 7005, 7006, 7007, 7008, 7009, 7010, 7011, 7012, 7013, 7013.1, 7013.5, 7014, 7015, 7016, 7017  
 08/08/02 AMEND: 8072, 8074

**Title 5**

10/21/02 AMEND: 18301  
 10/17/02 ADOPT: 80434 AMEND: 80001  
 08/15/02 ADOPT: 11980, 11981, 11982, 11983, 11984, 11985,  
 08/13/02 ADOPT: 11969.10 REPEAL: 11969.9  
 07/31/02 AMEND: 30950, 30951.1, 30952, 30953, 30954, 30955, 30956, 30957, 30958, 30959

**Title 8**

12/03/02 AMEND: 4794, 4848, 4850  
 12/02/02 AMEND: 3441(a)  
 11/18/02 ADOPT: 2980, 2981, 2982, 2983  
 10/01/02 AMEND: 3457(b)  
 09/25/02 AMEND: 451, 527  
 09/19/02 AMEND: 14004, 14005  
 09/12/02 AMEND: 1671.2  
 09/09/02 ADOPT: 13635.1, 13655, 13656, 13657, 13658, 13659 AMEND: 13630, 13631, 13632, 13633, 13634, 13635, 13637, 13638, 13639, 13640, 13641, 13642, 13643, 13644, 13645, 13646, 13647, 13648, 13649, 13650, 13651, 13652, 13653, 13654  
 09/03/02 ADOPT: 20299  
 08/26/02 ADOPT: 340.40, 340.41, 340.42, 340.43, 340.44, 340.45, 340.46, 340.47, 340.48, 340.49, 340.50, 340.51, 340.52  
 08/05/02 AMEND: 3362  
 07/31/02 AMEND: 4799

**Title 9**

11/26/02 ADOPT: 9526, 9531 AMEND: 9500, 9505, 9515, 9530, 9535  
 07/31/02 ADOPT: 9851, 9874 AMEND: 9800, 9846, 9852, 9854, 9856, 9858, 9867, 9876, 9884, 9886 REPEAL: 9857

**Title 10**

11/22/02 ADOPT: 2689.1, 2689.2, 2689.3, 2689.4, 2689.5, 2689.6, 2689.7, 2689.8, 2689.9, 2689.10, 2689.11, 2689.12, 2689.13, 2689.14, 2689.15, 2689.16, 2689.17, 2689.18, 2689.19, 2689.20, 2689.21, 2689.22, 2689.23, 2689.24,  
 11/19/02 ADOPT: 2542, 2542.1, 2542.2, 2542.3, 2542.4, 2542.5, 2542.6, 2542.7, and 2542.8  
 11/18/02 ADOPT: 2187.4  
 11/14/02 AMEND: 5002  
 11/07/02 ADOPT: 2193, 2193.1, 2193.2 2193.3  
 11/04/02 ADOPT: 2698.99



10/31/02 ADOPT: 2632.13  
 10/16/02 ADOPT: 2660 AMEND: 2646.2, 2648.4, 2651.1, 2652.5, 2655.1, 2655.5, 2655.6, 2655.10, 2656.1, 2656.2, 2656.3 2656.4, 2657.2, 2658.1, 2659.1, 2661.3, 2697.3  
 09/25/02 ADOPT: 2698.90, 2698.91  
 09/25/02 AMEND: 250.9.1(a), 250.12(a), 250.51, 350.60(a), 260.001, 260.100.1, 260.100.3, 260.102.4(b), 260.102.8(b), 260.102.16, 260.103, 260.105.28, 260.105.33, 260.111, 260.112, 260.113, 260.121, 260.131, 260.140.71.2, 260.140.87(e), 260.140.110.2, 260.140.11  
 09/19/02 AMEND: 2851, 2851.1  
 08/30/02 AMEND: 5101  
 08/29/02 AMEND: 2698.200, 2698.201, 2698.301, 2698.302  
 08/28/02 AMEND: 2698.73  
 08/28/02 ADOPT: 2278, 2278, 2278.1, 2278.2, 2278.3, 2278.4, 2278.5  
 08/27/02 AMEND: 2632.5(d)(11)  
 08/20/02 ADOPT: 1729, 1741.5, 1950.302 AMEND: 1741.5  
 08/19/02 AMEND: 2130.3  
 08/15/02 ADOPT: 5480, 5480.1, 5480.2, 5480.3, 5480.4, 5480.5, 5480.6, 5480.7, 5480.8  
 08/12/02 AMEND: 2318.6  
 08/12/02 AMEND: 2318.6, 2353.1  
 08/05/02 REPEAL: 310.100.1

**Title 11**

12/04/02 ADOPT: 977.52 AMEND: 977.20, 977.43, 977.44, 977.45, 977.50, 977.51  
 12/03/02 AMEND: 1001, 1010 REPEAL: 1009  
 11/26/02 AMEND: 1005  
 10/10/02 ADOPT: 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 48  
 10/07/02 ADOPT: 1012 AMEND: 1001, 1004, 1005, PAM D-13 REPEAL: former 1005  
 09/18/02 ADOPT: 61.8  
 08/29/02 AMEND: 3000, 3001, 3003, 3007, 3008  
 08/27/02 AMEND: 1070, 1082  
 08/13/02 AMEND: 1005

**Title 13**

11/25/02 AMEND: 810, 811, 812, 813, 814, 815, 816, 817, 818  
 11/04/02 ADOPT: 225.00, 225.03, 225.06, 225.09, 225.12, 225.15, 225.18, 225.21, 225.24, 225.27, 226.30, 225.33, 225.36, 225.39, 225.41, 225.45, 225.48, 225.51, 225.54, 225.57, 225.60, 225.63, 225.66, 225.69, 225.72, and related forms

10/18/02 AMEND: 1956.8  
 09/16/02 AMEND: 1960.1, 1960.5, 1961, 1962,

**Title 13, 17**

09/12/02 ADOPT: 1969, 60060.1, 60060.2, 60060.3, 60060.4, 60060.5, 60060.6, 60060.7

**Title 14**

12/03/02 AMEND: 2200, 2320, 2500  
 11/25/02 AMEND: 912.7, 932.7, 952.7  
 11/25/02 AMEND: 895.1, 929.1, [949.1, 969.1], 929.2, [949.2, 969.2], 929.3, [949.3, 969.3], 929.4, [949.4, 969.4] REPEAL: 929.5, [949.5, 969.5], 1037.5(a), 1052  
 11/21/02 AMEND: 1038(f)  
 11/21/02 AMEND: 791.1, 870.15, 870.17, 870.19, 870.21 and incorporated by reference form FG-OSPR -1972  
 11/18/02 AMEND: 2090, 2105, 2420, 2425, 2530 and 2690 renumbered to 2850  
 11/18/02 AMEND: 932.9, 952.9  
 11/14/02 AMEND: 895.1, 912.7, 913.1, 913.2, 932.7, 933.1, 933.2, 952.7, 953.1, 953.2  
 11/07/02 AMEND: 7.50(b)(5)(E), 7.50(b)(156)(H)  
 11/07/02 ADOPT: 749.2  
 10/28/02 AMEND: 1058.5  
 10/28/02 ADOPT: 4971  
 10/24/02 ADOPT: 17211, 17211.1, 17211.2, 17211.3, 17211.4, 17211.5, 17211.6, 17211.7, 17211.8, 17211.9  
 10/21/02 AMEND: 163, 163.5, 164  
 10/15/02 AMEND: 2030  
 10/09/02 AMEND: 502, 507(c)  
 10/09/02 ADOPT: 819.06, 819.07 AMEND: 815.03, 815.05, 817.02, 817.03, 818.02, 818.03, 819, 819.01, 819.02.8, 19.03, 819.04, 819.05  
 10/08/02 AMEND: 2135  
 10/03/02 AMEND: 3502  
 10/03/02 ADOPT: 3810, 3811, 3812, 3813, 3814, 3815, 3816, 3817  
 10/01/02 ADOPT: 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948  
 10/01/02 AMEND: 3650, 3652, 3653, 3655, 3656, 3658  
 09/30/02 AMEND: 3901, 3909, 3910  
 09/30/02 AMEND: 17400, 17402, 17402.5  
 09/19/02 AMEND: 3626, 3627, 3628  
 09/18/02 AMEND: 300(a) REPEAL: 502.1  
 09/12/02 ADOPT: 105.5 REPEAL: 195  
 09/12/02 AMEND: 120.3  
 09/09/02 ADOPT: 712  
 09/09/02 AMEND: 550, 551, 552  
 09/04/02 ADOPT: 104.1  
 08/28/02 ADOPT: 786.7, 786.8 AMEND: 786.0, 786.1, 786.2, 786.3, 786.4, 786.5, 786.6

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08/26/02 ADOPT: 18090.0, 18090.1, 18090.2,  
18090.3, 18091.1, 18092.0, 18093.0,  
18093.1, 18094.0 AMEND: 18011  
08/21/02 AMEND: 7.50 (b)(212)  
08/13/02 ADOPT: 844.3, 844.4, 844.5 AMEND:  
790, 840, 840.1, 841, 842, 843, 843.1,  
843.2, 843.3, 843.4, 843.6, 843.7, 843.8,  
843.9, 844, 844.1, 844.2, 844.6, 844.7,  
845, 845.1, and 845.2  
08/12/02 ADOPT: 150.02, 150.04  
08/09/02 AMEND: 670.2  
08/06/02 AMEND: 28.59  
07/31/02 ADOPT: 50.00, 50.01, 50.02, 50.03,  
51.00, 51.01, 51.02, 51.04, 51.05, 155.01,  
155.05, 155.10 AMEND: 109

**Title 15**

10/04/02 AMEND: 3025, 3315  
09/30/02 AMEND: 3006  
08/27/02 ADOPT: 3375.5 AMEND: 3000, 3375,  
3375.1, 3375.2, 3375.3, 3375.4, 3377  
08/19/02 ADOPT: 3426

**Title 16**

12/03/02 AMEND: 1690, 1691 REPEAL: 1680,  
1681, 1682  
10/23/02 ADOPT: 1777, 1777.1, 1777.2, 1777.3,  
1777.4, 1777.5, 1778, 1778.1, 1778.2,  
1778.3  
10/08/02 AMEND: 308  
10/02/02 ADOPT: 306.3  
09/24/02 AMEND: 1999.5  
09/23/02 AMEND: 306.2  
09/13/02 AMEND: 1811  
09/11/02 ADOPT: 1706.5, Article 5, Article 6,  
Article 7, Article 8, Article 10, Article  
10.1. AMEND: 1703, 1704, 1705, 1706,  
1706.1, 1707.1, 1707.3, 1708.2, 1708.3,  
1708.4, 1709, 1710, 1715.6, 1716, 1716.1,  
1716.2, 1717, 1717.1, 1717.2, 1717.4,  
1718, 1718.1, 171  
09/10/02 AMEND: 331-12.2(e)  
09/10/02 AMEND: 1305, 1306, 1328  
09/09/02 AMEND: 438  
08/20/02 AMEND: 1382.3  
08/08/02 AMEND: 1707.2  
08/07/02 ADOPT: 4140, 4141, 4142, 4143  
08/01/02 ADOPT: 3367, 3368  
07/31/02 AMEND: 2473

**Title 17**

12/02/02 AMEND: 6508  
11/12/02 AMEND: 94006  
10/29/02 AMEND: 54000, 54001  
10/08/02 AMEND: 93105(a)(1)

09/24/02 AMEND: 6020, 6025, 6035, 6050, 6051,  
6065, 6070, 6075  
09/04/02 ADOPT: 94200, 94201, 94202, 94203,  
94204, 94205, 94206, 94207, 94208,  
94209, 94210, 94211, 94212, 94213,  
94214  
08/29/02 AMEND: 57332  
08/22/02 ADOPT: 33001, 33002, 3303, 33004,  
33005, 33006, 33007, 33008, 33010,  
33011, 33012, 33013, 33014, 33015,  
33025, 33050 AMEND: 33020, 33030,  
33040 REPEAL: 33001, 33010  
08/20/02 ADOPT: 93112  
08/19/02 ADOPT: 94164, 94165 AMEND: 94010,  
94011, 94153, 94155, 94163,  
08/08/02 AMEND: 58420  
08/08/02 AMEND: 30253

**Title 18**

12/03/02 AMEND: 1525.2  
12/02/02 REPEAL: 24348(b)  
10/08/02 AMEND: 24344(c)  
09/19/02 AMEND: 305.1  
09/03/02 ADOPT: 1534  
09/03/02 AMEND: 1541  
09/03/02 AMEND: 1540  
08/20/02 AMEND: 1528  
08/19/02 AMEND: 1543

**Title 19**

11/21/02 AMEND: 557.9, 560, 567, 574.6, 575.3,  
575.4(a), 578.10, 594.3, 594.5, 595.5,  
596, 596.1, 596.2, 596.3  
10/21/02 AMEND: 981.3(a)(b)(d)  
10/10/02 ADOPT: 2735.3(rr), 2770.4.1 AMEND:  
2735.3(rr) to (zz), 2770.5  
09/12/02 ADOPT: 2575, 2575.1, 2575.2, 2576,  
2576.1, 2577, 2577.1, 2577.2, 2577.3,  
2577.4, 2577.5, 2577.6, 2577.7, 2577.8,  
2578, 2578.1, 2578.2  
09/12/02 ADOPT: 2575, 2575.1, 2575.2, 2576,  
2576.1, 2577, 2577.1, 2577.2, 2577.3,  
2577.4, 2577.5, 2577.6, 2577.7, 2577.8,  
2578, 2578.1, 2578.2, 2578.3

**Title 20**

10/28/02 ADOPT: 1601, 1602, 1602.1, 1603, 1604,  
1605, 1605.1, 1605.2, 1605.3, 1606,  
1607, 1608 REPEAL: 1601, 1602, 1603,  
1604, 1605, 1606, 1607, 1608

**Title 22**

12/03/02 ADOPT: 119184 REPEAL: Manual of  
Policies and Procedures Section 12-225.3  
12/02/02 AMEND: 66262.54, 66264.71, 66264.72,  
66265.71, 66265.72, 66270.30

12/02/02 ADOPT: 110411, 110625, 111110, 111120, 111210, 111220, 111230 REPEAL: MPP Sections 12-000, 12-003, and Appendix I

11/25/02 ADOPT: 119015, 119019, 119045, 119069, 119076, 119191, and Forms CSS 4476 (09/02), CSS 4477 (09/02), CSS 4478 (09/02), CSS 4479 (09/02), CSS 4480 (09/02), and CSS 4481 (09/02)

11/25/02 ADOPT: 66273.6, 66273.80, 66273.81, 99273.82, 66273.83, 66273.84, 66273.85, 66273.86, 66273.87, 66273.88, 66273.89, 66273.90 AMEND: 66271.9, 66273.1, 66273.8, 66273.9

11/18/02 ADOPT: 4407.1

11/18/02 AMEND: 69103

11/05/02 AMEND: 1256-9, 1253. 12-1, 1030(a)-1

10/31/02 ADOPT: 64806

10/28/02 ADOPT: 110250, 110374, 117016, 117019, 117021, 117025, 117030, 117036, 117042, 117047, 117049, 117052, 117054, 117064, 117074, 117080, 117083, 11785, 117089, 117091, 117094, 117200, 117300, 117301, 117302, 117303, 117400, 117401, 117402, 117403, 117404,

10/21/02 ADOPT: 110226, 110242, 110251, 110336, 110337, 110355, 110485, 110547, 110615, 116004, 116018, 116036, 116038, 116042, 116061, 116062, 116063, 116100, 116102, 116104, 116106, 116108, 116110, 116114, 116116, 116118, 116120, 116122, 116124, 116130, 116132, 116

10/09/02 ADOPT: 111900, 111910, 111920, 121100, 121120, 121140 REPEAL: (MPP) 12-435

10/07/02 AMEND: 5000, 5065, 5102

09/30/02 ADOPT: 110550 AMEND: 110413, 113100, 113200, 113300 REPEAL: 12-401.1, 12-104.432

09/23/02 AMEND: 66261.9

09/03/02 ADOPT: 69100, 69101, 69102, 69103, 69104, 69105, 69106, 69107

09/03/02 AMEND: 40633

08/27/02 AMEND: 12601, 12201

08/22/02 ADOPT: 110385, 110449, 110554, 118020, 118203

08/21/02 AMEND: Chapter 1; Section 7000

08/14/02 ADOPT: 111560

08/06/02 ADOPT: 63000.17, 63000.47, 63000.66, 63000.70, 63000.81, 63000.84, 63000.85, 63000.86, 63000.87, 63000.88, 63015, 63058 AMEND: 63000.19, 63000.37 (and renumbered to 63000.67), 63000.40,

63000.43, 63000.62, 63000.86 (and renumbered to 63000.89), 63000.89

08/06/02 ADOPT: 66273.6, 66273.80, 66273.81, 66273.82, 66273.83, 66273.84, 66273.85, 66273.86, 66273.87, 66273.68, 66273.69, 66273.90 AMEND: 66271.9, 66273.1, 66273.8, 66273.9

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08/01/02 AMEND: 66262.54, 66264.71, 66264.72, 66265.71, 66265.72, 66270.30, Appendix

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08/15/02 ADOPT: 110041, 110042, 110098, 110284, 110299, 110428, 110539, 110609, 112002, 112015, 112025, 112034, 112035 AMEND: 110430, 110431, 110473, 112100, 112110, 12130, 112140, 112150, 112152, 112154, 112155, 112200, 112210, 112300, 112301, 112302, REPEAL: 12

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08/09/02 ADOPT: 80075.1, 82075.2, 87575.2, 87925 AMEND: 80001, 80061, 82001, 82061, 87101, 87561, 87801, 87861

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10/01/02 AMEND: 7202, 7234

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- 11/21/02 AMEND: 1000,1300.43.3,1300.43.6,  
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1300.51.1, 1300.51.2, 1300.52.1,  
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- 11/12/02 ADOPT: 1300.70.4, 1300.74.30  
AMEND: 1300.68, 1300.68.01
- 08/19/02 ADOPT: 1300.73.21
- 08/12/02 ADOPT: 1001, 1002, 1003, 1004, 1005,  
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- 09/30/02 AMEND: 63-403.1, 63-405.134, 63-  
409.122, 63-502.31
- 08/30/02 ADOPT: 16-001, 16-003, 16-005, 16-  
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- 10/21/02 AMEND: 31-001, 31-002, 31-075, 31-  
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- 10/02/02 ADOPT: 40-107.141, .142, .143, .144,  
.15, . 151, .152; 42-302.114, .114(a)-(c),  
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40-107.14, 16, .17, .18, .19; 42-301.2;  
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- 08/01/02 AMEND: 40-181.1(e); 42-710.6; 42-  
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.2;80-301(r); and 82-812.6
- 08/01/02 AMEND: 42-701.2(w), 42-710.1, 42-  
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42-721.511(d)

